GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – PR & RD Department – Disciplinary action initialed against Sri Y. Ramesh Babu, Executive Engineer, PRI Division, Markapur, Prakasam District under Rule 20 of APCS (CC&A) Rules, 1991 for not taking timely action on the orders of Hon'ble High Court dt: 25.01.2022 in WP No. 1717/2022 – Legal complications in CC No. 942/2022 – Written Statement of defence submitted – Considered - Further action dropped - Orders – Issued.

PANCHAYAT RAJ AND RURAL DEVELOPMENT (VIG.II) DEPARTMENT

G.O.RT.No. 575 **Dated: 25-10-2024**

Read the following:

1. G.O.Rt.No. 396, PR&RD (Vig. II) Department, Dt: 13.04.2022.
2. Govt. Memo No. 1704437/Vig. II/2022-1, PR&RD (Vig. II) Department, Dt: 11.08.2023.
3. From the ENC,PR, Letter No. Vig. III (1)/1644/2022, dated: 19.09.2023.
4. The judgment dt:12.10.2023 of the Hon'ble Division Bench of High Court in Writ Appeal No. 724 of 2021 and batch (covering the WA No. 250 of 2023 and WA No.121 of 2023 pertaining the orders of High Court dt:25.01.2022 in WP No. 1717/2022).

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ORDER:

In the reference 1st read above, Government have initiated disciplinary proceedings duly framing following article of charge under Rule 20 of APCS (CC&A) Rules, 1991 against Sri Y. Ramesh Babu, Executive Engineer, PRI Division, Markapur, Prakasam District, for not taking timely action on the orders of Hon'ble High Court dt: 25.01.2022 in WP No. 1717/2022 filed by Sri P.Gopinath, R/o. Tarlupadu, Prakasam District, with a direction to submit his written statement of defence :

Charge :

That Sri Y. Ramesh Babu, Executive Engineer, PRI Division, Markapur, Prakasam District, has not taken any action to implement the orders of the Hon'ble High Court of AP dt:25.01.2022 in WP. No.1717/2022 filed by Sri Putchanuthala Gopinath R/o Tarlupadu mandal, Prakasam District and failed to take pursuant action thereon, not acted properly for filing Review / Appeal Petition before the Hon'ble High Court of AP and shown deliberate negligence for uploading the bills, failed to discharging duties properly, failed to pursue the matter with the concerned to resolve the problem arising therein, resulting in severe legal complications arising in issuing Form-1 notice in CC.No.942/2022 in WP. No.1717/2022 to the respondents by the Hon'ble High Court of AP. Hence, the Charge.

2. In the reference 3rd read above, the Engineer-in-Chief, Panchayat Raj, has furnished the written statement of defence dt:24.05.2022 of the charged officer Sri Y. Ramesh Babu, Executive Engineer, PR to Government for taking further action.

3. The Charged Officer in his written statement of defence has stated that the O/o. the Executive Engineer, PRI Division, Markapur generated FTO's for an amount of Rs.16,30,690/- as per the bills raised by the petitioner. Subsequently, the Vigilance & Quality Control Teams of PR Engineering Department have verified the works executed by the Writ Petitioner and based on which the Commissioner, RD has paid only Rs.2,76,082/- and an amount of Rs.13,86,603/- has been deducted based on the QC reports. Later, the O/o EE, PR, Markapur filed review petitions in the Hon'ble High Court on 28.04.2022 with IASR 27836 of 2022. Therefore, the count of charge that he has not acted for filing review petition / appeal petition before the Hon'ble High Court is not correct and stated that there is no disobedience of the orders of higher authorities and no negligence on his part. He has requested to consider his written statement of defense for dropping further action against him in the matter.

4. In the reference 4th read above, the Hon'ble High Division Bench of High Court in common judgment in WA No. 724 of 2021 and Batch, have modified the earlier judgments of High Court and directed for further inquiry etc., wherein, among others, the WA No. 250 of 2023 and WA No. 121 of 2023 have been covered filed aggrieving the orders of the Hon'ble High Court dt: 25.01.2022 in WP No.1717/2022.

5. After careful examination of the matter and duly keeping in view of the common judgment of the Hon'ble Division Bench of High Court in WA No. 724 of 2021 and Batch, the Government have considered the written statement of defence of the charged officer Sri Y. Ramesh Babu, Executive Engineer, PRI Division, Markapur, as found satisfactory.

6. Accordingly, the Government, after careful examination of the matter, hereby drop further action against Sri Y. Ramesh Babu, Executive Engineer, PRI Division, Markapur, Prakasam District (now Retired) in the matter.

7. The Engineer-in-Chief, Panchayat Raj, A.P., Vijayawada, shall take further necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

SHASHI BHUSHAN KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Engineer-in-Chief, Panchayat Raj, AP, Vijayawada.
Sri Y. Ramesh Babu, Executive Engineer, PRI, Markapur, Prakasam District (now retired)
(through the Engineer-in-Chief, Panchayat Raj, AP, Vijayawada)
Copy to:
The PR&RD (Estt. I) Department.
OSD to the Hon'ble Dy.C.M for PR&RD Department.
PS to Principal Secretary to Govt, PR&RD. Department.
SF/SC.

//FORWARDED:: BY :: ORDER//

SECTION OFFICER